LAW OFFICES OF

FREEBORN & PETERS

SUITE 2600 950 SEVENTEENTH STREET DENVER, COLORADO 80202-2826 (303) 628-4200 SUITE 3000 311 SOUTH WACKER DRIVE CHICAGO, ILLINOIS 60606-6677 (312) 360-6000 SUITE 311 215 EAST ADAMS SPRINGFIELD. ILLINOIS 62701-1122 (217) 535-1060

ROBERT M. BARATTA, JR.

DIRECT: (312) 360-6622 FAX: (312) 360-6573

December 3, 1997

Via Messenger

Noemi Emeric Community Involvement Coordinator United States Environmental Protection Agency Region 5 Office of Public Affairs (P-J19) 77 West Jackson Boulevard Chicago, Illinois 60604

Re: Public Comment on the EE/CA Report for the Vacant Lot Site, North Chicago, Illinois

Dear Ms. Emeric:

On behalf of The Northern Trust Bank/Lake Forest, as trustee under a certain residuary trust, we make the following comments addressing certain factual inaccuracies contained in the Engineering Evaluation/Cost Analysis ("EE/CA"), prepared for the United States Environmental Protection Agency by Ecology and Environment, Inc., dated October 30, 1997.

On page 2 of section 1 and page 7 of section 2, the EE/CA reads:

By 1954, the current Vacant Lot property was sold to an individual who developed the property as a parking lot. The owner reportedly solicited fill materials to be placed at the site.

These statements are incorrect. As evidenced by the enclosed equity search conducted by Chicago Title Insurance Company, the so-called Vacant Lot Site (hereinafter, the "Property") was owned by the Chicago North Shore and Milwaukee Railroad from 1940 until 1968. On January 29, 1968, the Property was conveyed to who in turn immediately conveyed the Property to Chicago Title and Trust Co., Trust No. 40966. (See enclosed title search and Deed in Trust) Accordingly, the EE/CA should be amended to accurately reflect the historical ownership of the Property.



Ms. Noemi Emeric December 3, 1997 Page 2

Additionally, the abov. Statement implies that the Property was developed as a parking lot during or after 1954, in part by importing fill material to the Property. This statement is inconsistent with the description of the May 11, 1953 aerial photograph contained in the Aerial Photographic Analysis included in the administrative record. The description states that "[t]he site is relatively flat, with a slightly higher elevation in the northern portion of the site (not discernable in 1939)" and that "[t]he southeast portion of the site is used for parking." The photographic analysis demonstrates that the Property had been filled or leveled and developed as a parking lot prior to May 11, 1953. Accordingly, the reference to the timing of the filling and development of the Property as a parking lot also should be appropriately amended.

Please call me with any questions or comments regarding the foregoing.

Sincerely

Robert M. Baratta, Jr

RMB:nks
Enclosures (equity search and deed in trust)

139862



CHICAGO TITLE INSURANCE COMPANY

EQUITY SEARCH PRODUCT

CLISTOMER NAME AND ADDRESS:

MORTHERN TR CO/CHRIS BROWN-COMM LENDING

SO S. LASALLE STREET

B-1

CHICAGO, ILLENOIS 60675

LISA

CUSTOMER REFERENCE:

STACK/800 BLOCK MORTH SIDE OF 22MD ST

BORROWER NAME AND ADDRESS:

STACK

800 BLOCK NORTH SIDE OF 22ND ST WORTH CHICAGO, ILLINOIS 60064

CTIC ORDER NO.: 1408 H97039448 HB

PLEASE DIRECT INQUIRIES TO:

505 E. MORTH AVE.

CAROL STREAM, IL : 60188

N LEVIN

(800) 284-7545

EFFECTIVE DATE: OCTOBER 10, 1997

UPDATE LAND ONLY:

PERMANENT INDEX NUMBER:

12-04-100-012

RECORD OWNER:

CHICAGO TITLE AND TRUST CO, AS TRUSTEE UNDER TRUST AGREEMENT DATED 03/13/59 AND

KNOWN AS TRUST #40966

DOCUMENT NO .:

1367945

REVENUE STAMPS:

RECORDING DATE: 02/07/1968

CENBUS TRACT:

CURRENT YEAR REAL ESTATE TAX INFORMATION:

PERMANEST INDEX NUMBER: 12-04-100-012

1996 TAXES:

IST INSTALLMENT: \$ 3.265.28 PAID

FINAL INSTALLMENT: \$ 3,265.28 PAID

MORTGAGES, JUDGMENTS AND OTHER LIENS OF RECORD: C.

TRUST DEED DATED 01/29/1968 AND RECORDED 02/07/1968 AS DOCUMENT NO. 1367946 NADZ BY CHICASO TITLE AND TRUST CO. TRUST #40966 TO SHELDY YASTROW, AS TRUSTED. IN THE AMOUNT OF \$28,000.00.

TRUST: DEED DATED 08/27/1968 AND RECORDED 09/05/1969 AS DOCUMENT NO. 1392166 MADE BY CHICAGO TITER AND TRUST CO, TRUST #40966 TO SHELDY YASTRON, AS TRUSTER. IN THE AMOUNT OF \$20,000.00.

CONTINUED ON MEET PG

Unit CASU TITLE INSURANCE COMPANY BY:

This is not a size ineurance policy, guarantee, or opinion of title and should not be tyled upon as such. This search is edject to the Conditions and Stoulestone which are hereby incorporated by reference and made a part hereof the welcome any comments you have about our new Equity Search Product. We look forward to serving you in the future.

FORAC1



CHICAGO TITLE INSURANCE COMPANY

EOS E. MORTH AVE., CAROL STREAM, IL 60188

(800) 284 - 7545

EQUITY SEARCH PRODUCT

CTIC ORDER NO.: 1408 H97039448 HE

EQUITY SEARCH PRODUCT (CONTINUED):

MA SPANCE HAS BEEN MADE FOR JUDGESMY RECORDS.

DEED RECORDED 12/14/1925 AS DOCUMENT NO. 270797 FROM CHICAGO TITLE AND TRUST CO. GRANTOR (S) TO JAMES E. PRICHARD, GRANTER (S).

DEED RECORDED 12/14/1925 AS DOCUMENT NO. 270798 FROM VUICAM LOUISVILLE SMELTING CO. GRANTOR (S) TO JAMES E. PRICHARD, GRANTER (S).

DEED RECORDED 08/07/1933 AS DOCUMENT NO. 393272 FROM JAMES E. PRICHARD, GRANTOR(S) 20 WILLIAM V. GRIPFIN, GRANTEE (S).

DEED RECORDED 10/15/1940 AS DOCUMENT NO. 485030 FROM WILLIAM V. GRIFFIN, GRANTOR(S) TO CHICAGO MORTH SHORE AND MILMAUKEE RAILBOAD, GRAFTER(S).

TO DEED RECORDED 02/07/1968 AS DOCUMENT NO. 1367944 FROM CHICAGO NORTH SHORE AND MILWAINEE RAILROAD, GRANTOR(S) TO JUDITH HARTMANN, GRANTEE(S).

DEED RECORDED 02/07/1968 AS DOCUMENT NO. 1367945 FROM JUDITH HARTMANN, GRANTOR(S) TO CHICAGO TITLE AND TRUST CO, TRUST \$40966, GRANTER(S).



D.

CHICAGO TITLE INSURANCE COMPANY

EQUITY SEARCH PRODUCT

CTIC ORDER NO.: 1408 H97039448 HE

LEGAL DESCRIPTION:

THE WEST 300 PRET IN WIDTH OF THAT PART OF THE MORTHWEST 1/4;OF SECTION 4, TOWNSHIP 44 MORTH, RANGE 12, BAST OF THE THIRD PRINCIPAL MERIDIAN, SCHOOLED ON THE MORTH BY THE RIGHT OF WAY OF THE ELGIN, JOLIET AND MASTERN RAILWAY COMPANY, ON THE WEST BY THE RIGHT OF WAY OF THE CHICAGO, NORTH SHORE AND NILMAUREE RAILROAD COMPANY AND ON THE SOUTH BY THE CENTER LINE OF THE HIGHWAY (TWENTY-SECOND STREET, SO CALLED), IN THE CITY OF MORTH CHICAGO, IN LAKE COUNTY, ILLINOIS.

PERMANENT INDEX NUMBER: 12-04-100-012

BORROWER'S NAME: STACK

LEGAL NUT

248/14 Eschaw 26/3-L I.I.A-3

1367945

DOC.
EILED FOR RECORD IN RECOPDERS
OFFICE LAKE COUNTY, ILLINOIS

FEB 7- 168 - 2 45 PM

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	Quit Claim		ce for recorder's use only	Leant 5.77
THIS INDENTURE WITNESS	SETH, That the C	Grantor , JUDITH	HARTMANN, 9	Spinster,
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and valuable considerations in		ey and Quit Clair		ICAGO TITLE
AND TRUST COMPANY, a co	orporation of Illin	ois, as Trustee under	the provisions of a t	rust agreement
dated the 13th day the following described real ex	y of Manager state in the Count	March 1959 km tyoi Lake		Illinois, to-wit:
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The West 300 feet quarter of Section				
the Third Princip	oal Meridian	, bounded on	the North by	the
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on the West by th Milwaukee Railros				
of the highway (T	wenty-secon	d Street so ca		
of North Chicago,	, Lake Count	y, Illinois.	en e	
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TO HAVE AND TO HOLD the said pre-	mises with the appuries	nances upon the trusts and t	for the uses and purposes	herein and in said
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